

LOS ANGELES COUNTY LAW LIBRARY
301 WEST FIRST STREET
LOS ANGELES, CALIFORNIA 90012-3100
(213) 629-3531 * FAX (213) 613-1329
E-MAIL: LACLL@LALAW.LIB.CA.US

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RICHARD T. IAMELE, LIBRARY DIRECTOR

December 1, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**HEARING ON PROPOSED LAW LIBRARY BORROWING FEE FOR STATE BAR
MEMBERS RESIDENT IN THE COUNTY (ALL DISTRICTS)
(3-VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

At the request of the Los Angeles County Law Library Board of Trustees, approve an annual Law Library fee to be charged to individual members of the State Bar of California resident in the County for the removal of books and other publications from the Law Library.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

After a duly noticed public hearing, the Board of Law Library Trustees of Los Angeles County has approved a resolution to implement provisions of California Business and Professions Code Section 6360 to seek approval from the Board of Supervisors to charge individual members of the State Bar of California resident in the County an annual fee of \$50.00 for the removal of books and other publications from the Law Library (see Attachment A). The San Diego County Public Law Library instituted such a fee in 1995 and the Sonoma County Law Library did so in 2001. The Alameda County Law Library and the Orange County Public Law Library are considering its institution. The amount of the annual borrowing fee for State Bar members resident in the County is the same as the dues for other county residents. The Board of Trustees has adopted annual borrowing dues for county residents, the adoption of which does not require approval by the Board of Supervisors.

In order to close a projected deficit of \$902,000 for Fiscal Year 2003/2004, the Board of Law Library Trustees adopted a plan of reductions in hours of operations and collections, and increases in existing fees and the implementation of new fees (see Attachment B). As part of that plan, the Board of Supervisors has approved a \$2.00 increase in the Law Library filing fee effective January 1, 2004. The Board of Trustees also adopted a new schedule of Law Library service fees in order to recover the cost of providing the services (see Attachment C).

The final part of the Board of Trustees' plan was the institution of annual borrowing dues and miscellaneous fees and charges pursuant to Business and Professions Code Section 6360 which do not require approval by the Board of Supervisors (see Attachment D) and an annual borrowing fee for members of the State Bar of California resident in the County, which does require Board of Supervisors' approval (see Attachment A). The effective date for all of these fees and dues will be concurrent with the approval by the Board of Supervisors of the borrowing fee for State Bar members. All of these fees and dues are necessary to augment the law library filing fee, which, even with its recent increase, is not adequate to defray the expenses of the Law Library.

FISCAL IMPACT/FINANCING

Based on the experience of the San Diego County Public Law Library, the institution of an annual borrowing fee for individuals, including State Bar members resident in the County, will probably result in some decrease in individuals registering to borrow books from the Law Library. Nevertheless, the borrowing fee is expected to raise \$145,000 annually for the Law Library. If the borrowing fee is made effective February 1, 2004, it is expected to raise \$60,500 in Fiscal Year 2003/2004.

An annual borrowing fee for State Bar members resident in the County will have no effect on the County budget since private attorneys who wish to borrow Law Library materials pay the fee.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Los Angeles County Law Library is a local government agency established by State law, which is not part of County government. It is a public law library serving judges, government officials, attorneys and residents of the county. Eighty-six percent (86%) of its funding comes from a portion of the civil filing fee in the Los Angeles Superior Court. It receives no funding from the County, State, Federal or City governments. The County Counsel has advised that Business and Professions Code Section 6360 permits such a fee with the approval of the Board of Supervisors, after a duly noticed public hearing.

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A public hearing is required pursuant to Government Code Section 66018 prior to the approval of the institution of a new fee.

A notice of public hearing has been published by the Executive Office in accordance with Section 6062a, as required by Section 66018 of the Government Code.

This letter has been reviewed by the County Counsel's Office.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The approval of an annual borrowing fee for State Bar members resident in the County will enable the Law Library to continue to provide first class legal collections and services to the residents of the County, and together with other measures already taken by the Law Library Board of Trustees, is a critical component in closing the \$902,000 deficit for Fiscal Year 2003/2004.

Respectfully submitted,

Richard T. Iamele
Law Library Director and Secretary of the
Board of Law Library Trustees

RTI:tg

Attachments (5)

cc: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors

ATTACHMENT A

RESOLUTION ADOPTED BY THE BOARD OF LAW LIBRARY TRUSTEES OF LOS ANGELES COUNTY AT ITS REGULAR MEETING OF AUGUST 19, 2003

WHEREAS, the Board of Law Library Trustees of Los Angeles County, with the approval of the Board of Supervisors of the County of Los Angeles, is empowered by Section 6360 of the Business and Professions Code of the State of California to charge individual members of the bar resident in the county fees for the removal of books and other publications from the library; and

WHEREAS, the Board of Law Library Trustees of Los Angeles County has approved a charge of fifty dollars (\$50) per year for individual members of the bar resident in the county for the removal of books and other publications from the library;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Los Angeles is requested to approve a charge of fifty dollars (\$50) per year for individual members of the bar resident in the county for the removal of books and other publications from the library.

ATTACHMENT B

RESOLUTION ADOPTED BY THE BOARD OF LAW LIBRARY TRUSTEES OF LOS ANGELES COUNTY AT ITS SPECIAL MEETING OF JUNE 23, 2003

RESOLVED, that the budget for Fiscal Year 2003/2004, proposed by the Library Director and recommended by the Audit, Finance and Insurance Committee be adopted, including (1) a request for a \$2.00 increase in the law library filing fee; (2) the establishment of annual borrowing fees and dues; (3) reduction in the hours of Branch Libraries operations to 10:00 a.m. to 2:00 p.m.; (4) reduction in book expenditures of \$30,000 per Branch Library; and, (5) reduction in the hours of Main Library operations of at least sixteen hours, the schedule to be determined by the Board at a future meeting.

ATTACHMENT C

RESOLUTION ADOPTED BY THE BOARD OF LAW LIBRARY TRUSTEES OF LOS ANGELES COUNTY AT ITS REGULAR MEETING OF JUNE 25, 2003

RESOLVED, that the following schedule of Law Library service fees is adopted effective July 1, 2003:

Federal Express Handling Charge	\$5.00
Photocopy Requests	
Per page (print)	\$0.15
Per page (micro)	\$0.30
Transaction Charge	\$8.00
Postage (Domestic)	Actual Cost
Postage (Foreign)	Actual Cost
Telefacsimile Requests	
Sending	
Per Page (print)	\$ 1.15
Per Page (micro)	\$ 1.30
Per Page (copy provided)	\$ 1.00
Transaction Charge	\$11.00
Receiving	
Per Page	\$ 1.00
Transaction Charge	\$11.00
United Parcel Requests	
Send Out	
Handling Charge	\$6.50
Commercial Address	
First Book	\$4.00
Each Additional Book	\$1.00
Residential Address	
First Book	\$5.25
Each Additional Book	\$1.00
Pick Up	
Handling Charge	\$1.50
Call Tag Charge	Actual Cost
Commercial Address	
First Book	\$4.00
Each Additional Book	\$1.00
Residential Address	
First Book	\$5.25
Each Additional Book	\$1.00
Closed Accounts Sent to Collection	
Collection Account Charge	\$10.00
Transaction Charge	\$13.75
Interlibrary Loan Transaction	\$6.50
Mediated Online Search (Staff Time)	\$30.00/hr.

ATTACHMENT D

RESOLUTION ADOPTED BY THE BOARD OF LAW LIBRARY TRUSTEES OF LOS ANGELES COUNTY AT ITS REGULAR MEETING OF AUGUST 19, 2003

RESOLVED, that the following deposits fees and charges are approved with an effective date to be concurrent with approval by the Board of Supervisors of an annual borrowing fee for State Bar members resident in the County: (1) Security deposits: Individual Borrower-\$125.00, Law Firm Borrower-\$400.00, Business Borrower-\$400.00, Official Borrower-none; Judicial Borrower none, Reduced Deposit Borrower-\$60.00; (2) Annual Borrowing Fees/Dues: Individual Borrower-\$50.00/year; Law Firm Borrower--2-3 attorneys-\$90.00/year, 4-10 attorneys \$600.00/year, 11-30 attorneys-\$1,350.00/year, 31-50 attorneys-\$2,000.00/year, 51-100 attorneys-\$4,000.00/year, 101+ attorneys-\$5,500.00/year; Business Borrower-\$50.00 per card requested, Official Borrower-none, Judicial Borrower-none, Reduced Deposit Borrower-none; (3) Fines: increase fines for 4 days/14 days loan from \$1.00 per day to \$2.00 per day with a maximum fine of \$90.00, institute fine of \$5.00 per day for 1 day loans with a maximum fine of \$225.00, institute a fine of \$25.00 per day for special loans; (4) Charges: increase the replacement charge for lost or damaged out-of-print items from \$.60/page for duplication to actual reproduction costs if replaced, and from \$35.00 to \$150.00 if not replaced; increase the processing charge for replaced items from \$46.00 per title to \$70.00 per title; increase the binding charge for replaced books from \$20.00 to \$25.00 per volume; institute a Library card replacement charge of \$6.00, a research/training class charge of \$10.00 per class, an audio/disk box replacement charge of \$10.00 per item, and institute a service charge for the services of the Foreign and International Law Librarian to provide assistance for requests from outside of Los Angeles County, other than document delivery with citations provided by requestor.

NOTICE OF PUBLIC HEARING

PROPOSED COUNTY LAW LIBRARY FEE FOR STATE BAR MEMBERS

Notice is hereby given that, at the request of the Board of Trustees of the County Law Library, a public hearing will be held by the Board of Supervisors regarding an annual borrowing fee of \$50 to be charged by the Law Library to members of the State Bar of California resident in the County for the removal of books and other publications from the Law Library.

Said hearing will be held on _____ at 9:30 a.m., in the Hearing Room of the Board of Supervisors, Room 381B, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012.

The Board of Supervisors will consider and may approve the fee. Approval of the Board of Supervisors is required for this fee to be imposed by the Los Angeles County Law Library. Further, notice is given that the Board of Supervisors may continue this hearing from time to time.

Written comments may be sent to the Executive Office of the Board of Supervisors at the above address. If you do not understand this notice or need more information, please call (213) 629-3531, ext. 319.

Si no entiende esta noticia o si necesita mas informacion, favor de llamar a esta numero (213) 629-3531, ext. 319.

VIOLET VARONA-LUKENS, Executive Officer-
Clerk of the Board of Supervisors of the
County of Los Angeles